

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 020375-007400US	
I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on <u>May 9, 2007</u> . TOWNSEND and TOWNSEND and CREW LLP By: <u>/Janet L. Newmaker/</u> Janet L. Newmaker		Application Number 10/044,484	Filed January 11, 2002
		First Named Inventor Larry C. Frame	
		Art Unit 2168	Examiner Debbie M. Le
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>42,358</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		<u>/Irvin E. Branch/</u> _____ Signature <u>Irvin E. Branch</u> _____ Typed or printed name <u>303-571-4000</u> _____ Telephone number <u>May 9, 2007</u> _____ Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

<input checked="" type="checkbox"/> *Total of <u>1</u> form is submitted.

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PATENT
Attorney Docket No.: 020375-007400US

TOWNSEND and TOWNSEND and CREW LLP

By: /Janet L. Newmaker/
 Janet L. Newmaker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Larry C. Frame et al.

Application No.: 10/044,484

Filed: January 11, 2002

For: Methods And Systems For
 Extracting Related Information
 From Flat Files

Customer No.: 20350

Confirmation No.: 9883

Examiner: Debbie M. Le

Art Unit: 2168

PRE-APPEAL BRIEF
REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants request review of the final rejection for the above-identified application. A response after final was filed on March 12, 2007. No amendments to the claims are being filed with this request.

This request is being filed with a Notice of Appeal.

The review is requested for the reasons stated herein.

REMARKS/ARGUMENTS

The Applicants respectfully request review of the rejection of all claims under 35 U.S.C. § 102(e) since the Office Action has not cited a reference that teaches all of the claim elements, either expressly or inherently, as required for a proper rejection under 35 U.S.C. § 102(e).

According to claim 1, the user designates a field to be a key segment. Boothby does not teach designating a field to be a key segment. The Office Action cites col. 5, ll. 49-54, for this teaching. At that location, however, Boothby teaches that the user may select default or custom field mapping, neither of which is designating a field to be a key segment. Field mapping merely identifies which fields in records of one file are mapped to fields in records of another file. No field is singled out as being a key segment as recited in claim 1. In other words, Boothby's user is unable to designate a particular field to be compared as is the case in the Applicants' claimed invention. The Applicants argued this previously and the final Office Action did not respond to this argument as required by the guidelines. Hence, the Applicants maintain that claim 1 is allowable, at least for this reason.

Further, as previously stated, Boothby's CIGs are not the same as the Applicants' temporary electronic files. Boothby's CIGs are limited to three records. The Applicants' temporary electronic file, on the other hand, records the data from the matching key segment each time a match occurs ("upon each occurrence of a match of data in the key segment of a record in the first file to data in the related key segment of a record in the second file, creating a record in a temporary electronic file, wherein the record in the temporary file includes at least one field and wherein the at least one field includes a copy of the matching data from the first and second files"). Claim 1 is believed to be allowable for this additional reason.

Moreover, Boothby's CIG includes copies of data from both files being compared. But the Applicants' temporary electronic file includes a single copy of the matching data ("wherein the record in the temporary file includes at least one field and wherein the at least

one field includes a copy of the matching data from the first and second files,” emphasis added). Hence, Boothby’s CIGs fail to anticipate the Applicants’ invention as recited in claim 1.

Independent claims 10 and 18 include similar limitations and are believed to be allowable for similar reasons. The remaining claims depend from one of these independent claims and are believed to be allowable, at least for the reasons stated above.

Moreover, claim 8 is believed to be allowable because Boothby does not teach selecting data for the temporary file based in part on logic operators. At the location cited by the Office Action for this teaching, Boothby appears to teach the compare function, but nothing is mentioned about logic operators and claim 8 is believed to be allowable for this additional reason. Claim 9 depends from claim 8 and is believed to be allowable for the additional reason that Boothby does not teach logic operators. The Office Action states that “strong match” is the same as “equal to.” This is not the case. Boothby defines “strong match,” which is when non-key fields of two records match (col. 12, l. 65). This is not the same as a logic operator “equal to” and claim 9 is believed to be allowable for this additional reason. Claims 16, 17, 22 and 23 include similar elements and are believed to be allowable for similar reasons.

Claim 18 is believed to be allowable for the additional reason that Boothby does not teach “receiving instructions identifying data to be selected from the temporary file.” This limitation is not found in claim 1, and the Office Action provides no citation for this limitation. For the Office Action to be correct in rejecting claim 18, Boothby would have to teach receiving instructions identifying data to be selected from the CIG. This is not found in Boothby, and claim 18 is believed to be allowable for this additional reason.

Conclusion

In view of the foregoing, the Applicants respectfully request withdrawal of the rejections and issuance of a formal Notice of Allowance.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Date: May 9, 2007

/Irvin E. Branch/

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